

FILE NO.: Z-8925

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NAME: Gillham Short-form PID and Right of Way Abandonment for a 20-foot alley located along the northern property line

LOCATION: Located at 5016 Asher Avenue

DEVELOPER:

Container and Storage of AR  
Mary Gillham  
5016 Asher Avenue  
Little Rock, AR 72204

SURVEYOR:

Blaylock Threet Engineer, Inc.  
1510 South Broadway  
Little Rock, AR 72202

AREA: 0.4284 acres      NUMBER OF LOTS: 1      FT. NEW STREET: 0 LF

CURRENT ZONING: I-2, Light Industrial

ALLOWED USES: Industrial

PROPOSED ZONING: PID

PROPOSED USE: Add storage containers to be used as mini-warehouse as an allowable use.

VARIANCES/WAIVERS REQUESTED: None requested.

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A. PROPOSAL/REQUEST/APPLICANT'S STATEMENT:

The applicant is requesting a rezoning of the site from I-2 to PID to allow shipping containers to be used for mini-warehouse units. The applicant is requesting the containers be considered as temporary buildings. The applicant has stated the units will be secured in accordance with State and Federal requirements.

The property is currently zoned I-2, Light Industrial District which allows mini-warehouse as an allowable use. The reasoning for the rezoning is to allow the temporary structures to be used as warehouse units.

The request includes the abandonment of an alley located along the northern property line. The alley is 20-feet wide and runs east 115-feet from Monroe Street connecting to a north/south alley which extends from Brack Street. The eastern portion of this alley was previously closed.

B. EXISTING CONDITIONS:

The property is located on the corner of Monroe Street and Asher Avenue. There is a vacant lot located to the east also fronting Asher Avenue. Kauffman Lumber Company is located to the west of this site. There is a second lumber company located to the north on Brack Street. Other uses in the area to the east include single-family homes, a convenience store and a liquor store. To the west include a private club, vacant commercial buildings and multi-family. Uses to the south include auto repair, a convenience store and a large warehouse distribution facility.

C. NEIGHBORHOOD COMMENTS:

As of this writing, staff has received several informational phone calls from area residents. All property owners located within 200-feet of the site along with the University District, the Curran Conway Neighborhood Association, the South of Asher Neighborhood Association and the Midway Neighborhood Association were notified of the public hearing.

D. ENGINEERING COMMENTS:

PUBLIC WORKS CONDITIONS:

1. Asher Avenue is classified on the Master Street Plan as a principal arterial with special design standards. Dedication of right-of-way to 45 feet from centerline will be required.
2. A 20 foot radial dedication of right-of-way is required at the intersection of Asher Avenue and Monroe Street.
3. Obtain a franchise agreement from Public Works (Bennie Nicolo, 371-4818) for the private improvements located in the right-of-way including signage, parking and gates.
4. Easements are required to be platted within the abandoned alley for stormwater drainage.

E. UTILITIES AND FIRE DEPARTMENT/COUNTY PLANNING:

Wastewater: Sewer available to this project.

Entergy: Power line exists on west side of property with service to the existing building from the rear.

Center-Point Energy: No comment received.

AT & T: No comment received.

Central Arkansas Water:

1. All Central Arkansas Water requirements in effect at the time of request for water service must be met.
2. If there are facilities that need to be adjusted and/or relocated, contact Central Arkansas Water. That work would be done at the expense of the developer.
3. Contact Central Arkansas Water if additional fire protection or metered water service is required.
4. Contact Central Arkansas Water regarding the size and location of the water meter.
5. A Capital Investment Charge based on the size of meter connection(s) will apply to this project in addition to normal charges. This fee will apply to all connections including metered connections off the private fire system.
6. The Little Rock Fire Department needs to evaluate this site to determine whether additional public and/or private fire hydrant(s) will be required. If additional fire hydrant(s) are required, they will be installed at the Developer's expense.
7. Due to the nature of this facility, installation of an approved reduced pressure zone backflow preventer assembly (RPZA) is required on the domestic water service. This assembly must be installed prior to the first point of use. Central Arkansas Water requires that upon installation of the RPZA, successful tests of the assembly must be completed by a Certified Assembly Tester licensed by the State of Arkansas and approved by Central Arkansas Water. The test results must be sent to Central Arkansas Water's Cross Connection Section within ten days of installation and annually thereafter. Contact the Cross Connection Section at 377-1226 if you would like to discuss backflow prevention requirements for this project.
8. The facilities on-site will be private. When meters are planned off private lines. Private facilities shall be installed to Central Arkansas Water's material and construction specifications and installation will be inspected by an engineer, licensed to practice in the State of Arkansas. Execution of Customer Owned Line agreement is required.

Fire Department: Place fire hydrant(s) per code. Maintain access. Contact the Little Rock Fire Department for additional information.

County Planning: No comment.

CATA: Site is directly served by the #14 Rosedale bus route.

Parks and Recreation: No comment received.

F. ISSUES/TECHNICAL/DESIGN:

Planning Division: This request is located in the I-630 Planning District. The Land Use Plan shows Commercial (C) for this property. The Commercial category includes a broad range of retail and wholesale sales of products, personal and professional services, and general business activities. Commercial activities vary in type and scale, depending on the trade area that they serve. The applicant has applied for a rezoning from I-2 (Light Industrial District) to PID (Planned Industrial District) to allow the addition of temporary structures to be used as mini-warehouse on this site.

Master Street Plan: Asher Avenue is a Principal Arterial and Monroe Street is a Local Street on the Master Street Plan. A Principal Arterial is to serve through traffic and to connect major traffic generators or activity centers within the urbanized area. Entrances and exits should be limited to minimize negative effects of traffic and pedestrians on Asher Avenue since it is a Principal Arterial. The primary function of a Local Street is to provide access to adjacent properties. Local Streets that are abutted by non-residential zoning/use or more intensive zoning than duplexes are considered as "Commercial Streets". A Collector design standard is used for Commercial Streets. These streets may require dedication of right-of-way and may require street improvements for entrances and exits to the site.

Bicycle Plan: Class II Bike Lanes are shown along Asher Avenue. Bike Lanes provide a portion of the pavement for the sole use of bicycles.

Landscape:

1. Site plan must comply with the City's landscape and buffer ordinance requirements.
2. If building rehabilitation exceeds fifty percent (50%) of the replacement cost then the landscaping and buffer must also come into compliance accordingly.
3. All vehicular use areas which were in existence prior to the effective date of the Landscape Ordinance may continue as non-conforming until such time a building permit is issued to rehabilitate a structure on the property exceeding (50) percent of current replacement cost of the structure. At such time (50) percent of the existing vehicular use area shall be brought into compliance and shall continue to full compliance on a graduated scale based on the percentage of rehabilitation cost.

4. A land use buffer will be required when an adjacent property has a dissimilar use of a more restrictive nature. As a component of all land use buffer requirements, opaque screening, whether a fence or other device, a minimum of six (6) feet in height shall be required upon the property line side of the buffer. A minimum of seventy (70) percent of the land use buffer shall be undisturbed. Easements cannot count toward fulfilling this requirement. The plantings, existing and purposed, shall be provided within the Landscape Ordinance of the City, Section 15-81.
5. The property adjacent to the north and east property line is zoned C-4, General Commercial District. The minimum buffer shall be (6% of the average lot width) with minimum dimension of nine (9) feet in all instances. A nine (9) foot buffer is required along north and east property lines.
6. Street buffers will be required at six (6) percent of the average depth of the lot. The minimum dimension shall be one-half ( $\frac{1}{2}$ ) the full width requirement but in no case less than nine (9) feet. A nine (9) foot buffer is required along Asher Avenue.
7. The property is located in the City's Designated Mature area. A twenty-five percent (25%) reduction of the buffer requirements is acceptable.
8. Interior landscape areas shall compromise eight percent (8%) of any vehicular use area containing twelve (12) or more spaces.
9. If an automatic landscape irrigation system is not provided for developments of less than one (1) acre a water source shall be located within seventy-five (75) feet of the plants to be irrigated.
10. Curb and gutter or other approved border is required to protect landscape areas from vehicular traffic.
11. The City Beautiful Commission recommends preserving as many existing trees as feasible on this site. Credit toward fulfilling Landscape Ordinance requirements can be given when preserving trees of six (6) inch caliper or larger.

G. SUBDIVISION COMMITTEE COMMENT:

(March 12, 2014)

The applicant was present. Staff presented an overview of the development stating there were additional items necessary to complete the review process. Staff questioned if the dumpster hours would be limited to daylight hours. Staff also questioned if the site would have 24-hour access. Staff requested details of the proposed signage plan. Staff also stated all areas subject to wheeled traffic were to be paved.

Public Works comments were addressed. Staff stated a radial dedication of right of way at the intersection of the abutting streets was required. Staff also stated a franchise agreement was required for any improvements located in the right of way.

Landscaping comments were addressed. Staff stated street buffers and land use buffer were required along the perimeters of the site. Staff also stated an upgrade in landscaping would be required with the issuance of a building permit for the placement of the containers on the site.

Staff noted the comments from the various other agencies. There were no more issues for discussion. The Committee then forwarded the item to the full Commission for final action.

H. ANALYSIS:

The applicant submitted a revised site plan and cover letter to staff addressing the issues raised at the March 12, 2014, Subdivision Committee meeting. The hours of dumpster service have been limited to daylight hours, the site will not have 24-hour access and the applicant has provided the proposed signage plan. The hours of operation of the business are from 7:00 am to 7:00 pm daily.

The applicant is requesting a rezoning of the site from I-2 to PID to allow shipping containers to be used for mini-warehouse units. The applicant is requesting the containers be considered as temporary buildings. The applicant has stated the units will be secured in accordance with State and Federal requirements. The applicant has provided from a Structural Engineer the required layout and the required anchoring for the units.

The applicant has indicated the containers will be painted a uniform color. The containers will be placed on the existing property line along the alley which is proposed for abandonment which if the alley abandonment is approved will result in a 10-foot setback from the property line. The site plan includes the placement of the containers to be used as the screening mechanism for the site. In the area where there are breaks in the containers fencing will be installed to screen and secure the site.

The site plan indicates the placement of landscaping along the eastern and western perimeters of the site. The landscape strip is indicated at 6-feet 9-inches. The applicant has indicated trees and shrubs will be installed within the landscape strip as required by City ordinance. Staff recommends the applicant install the required landscaping in October 2014 and not at the time of approval of the PID zoning.

The applicant has indicated the existing ground sign will be refaced. The applicant has indicated the signage will not exceed signage allowed in commercial zones or a maximum of 36-feet in height and 160 square feet in area. Building signage will be placed along the facades abutting the public streets. The sign area will not exceed ten (10) percent of the façade area along the street side.

The request includes the abandonment of an alley located along the northern property line. The alley is 20-feet wide and runs east 115-feet from Monroe Street connecting to a north/south alley which extends from Brack Street. The eastern portion of this alley was previously closed. The alley will be abandoned as a public right of way but will be maintained as a drainage and utility easement.

Staff is supportive of the request. The property is currently zoned I-2, Light Industrial District which allows mini-warehouse as an allowable use. The use of temporary structures as the mini-warehouse units necessitates the need for the rezoning. To staff's knowledge there are no remaining outstanding technical issues associated with the request.

I. STAFF RECOMMENDATION:

Staff recommends approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report.

Staff recommends approval of the request for abandonment of the 20-foot wide by 115-foot alley extending from Monroe Street.

Staff recommends a deferral of the required landscaping until October 2014.

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PLANNING COMMISSION ACTION:

(APRIL 3, 2014)

The applicant was present. There were no registered objectors present. Staff presented the item with a recommendation of approval of the request subject to compliance with the comments and conditions as outlined in paragraphs D, E and F of the agenda staff report. Staff presented a recommendation of approval of the request for abandonment of the 20-foot wide by 115-foot alley extending from Monroe Street. Staff presented a recommendation of deferral of the required landscaping until October 2014.

There was no further discussion of the item. The Chair entertained a motion for approval of the item as presented by staff. The motion carried by a vote of 11 ayes, 0 noes and 0 absent.